

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

ROBERT ELVIN MITCHELL,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: 6:16-cv-47

(Case No.: 6:05-cr-15)

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, (doc. 14), to which Robert Mitchell ("Mitchell") failed to file Objections. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court.

The Court **DENIES** Mitchell's 28 U.S.C. § 2255 Motion to Vacate, Set Aside, or Correct his Sentence, **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal, and **DENIES** Mitchell *in forma pauperis* status on appeal and a Certificate of Appealability.

SO ORDERED, this 18th day of January, 2017.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA